

SECTION ONE -- ADMINISTRATION

V. ADMINISTRATIVE PROCEDURES

A. General

Those rules and policies which govern the administration of this Master Program are prescribed in four state and local laws. They are (1) the Shoreline Management Act, Chapter 90.58 of the Revised Code of Washington (RCW); (2) the Washington Administrative Code chapter 173, WAC; (3) the Shoreline Master Program for the Thurston Region, (this document); and (4) ordinances of local governments within Thurston County. The type of administrative regulation prescribed by each of those laws is more fully described below, as well as the relationship between these regulations. In general this document describes only the specific regulations of one of these, the Shoreline Master Program for the Thurston Region. However, each of the other laws may need to be consulted for applicable administrative regulations depending upon the nature of the issue in question.

1. Shoreline Management Act. The first law which prescribes administrative rules and policies is the state Shoreline Management Act, RCW 90.58. The Act establishes the basic administrative framework for Shoreline Master Programs throughout the state. The Act also authorizes various state agencies (Department of Ecology and Shorelines Hearing Board) and local governments (counties and cities) to adopt additional, more detailed rules and policies for administration of Master Programs. These detailed rules and policies are laws known as administrative regulations.
2. Washington Administrative Code. Administration regulations adopted by the state agencies are found in the Washington Administrative Code, known and cited as "WAC." The WAC's contain much more detailed administrative regulations than the Act. Further, the WAC's, like the Act, apply state-wide. The WAC's are the principal rules for administration of the Program. WAC's of particular significance to administration of the Program are WAC 173-14, concerning Substantial Development, Conditional Use and Variance Permits, and WAC 173-16 regarding revisions to master programs. Related WAC's are identified in Chapters 173 WAC and 461 WAC.
3. Local Master Program. Those administrative regulations adopted by local governments are contained in local shoreline Master Programs, and also

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include use regulations. In the Thurston Region, a "Regional" set of administrative regulations is established as a part of the Master Program. These regulations are supplemental to those contained within the WAC. These "Regional" administrative regulations will apply within every local government in Thurston County unless a local government elects to adopt different regulations applicable only to that government (see Section Two).

4. Local Administrative Regulations. If a local government within the Thurston Region elects to have administrative regulations which differ from the Regional regulations, such regulation would be bound in a local ordinance. Thus, the fourth law in which administrative regulations might be found is in a local ordinance. An example would be a local ordinance which provides for a hearings examiner to conduct the public hearings for shoreline permits.

In the event of a conflict between a local and "Regional" administrative rule, the local administrative rule prevails. In the event of a conflict between a local or "Regional" rule and a WAC, the WAC prevails. The Shoreline Management Act administrative provisions always prevail in the event of a conflict with a WAC, a regional rule, or a local rule.

In general, a person can become familiar with all necessary administrative regulations by: (a) Consulting the applicable WAC; (b) Consulting this Master Program; and (c) If the local government (city or county) has adopted a local ordinance, consulting the local ordinance. It is important to remember that all four laws described above are periodically amended by different bodies at different times. Further to correctly assess all the policy and regulations it is necessary to use current documents.

B. Administration/Local Ordinance

The Shoreline Master Program shall be administered pursuant to the procedures and policies contained in this document (the Shoreline Master Program for the Thurston Region) and Section "C" below, unless a local government shall have amended their Shoreline Master Program by adopting a local ordinance regulating such matters.

C. Regional Permit Procedure

1. Applications for Shoreline Substantial Development Permits, Conditional Use Permits and Variance Permits are subject to and shall be processed pursuant to